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CHAPTER XIV.

OF

THE REVISED STATUTES.

OF THE

PUBLIC HEALTH

RELATING TO THE

PORT, HARBOUR, AND STATE OF NEW-YORK.

PUBLISHED BY ORDER OF THE

Board of Health of the City of New-York.

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CHAP. XIV.

OF THE PUBLIC HEALTH.

[This chapter takes effect on the first day of January, 1828.]

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Board of health

Section 1. There shall continue to be a Board of Health in the city of New-York, of which the mayor shall by right of office be president, and the members of which shall, from time to time, be appointed by the common council of the city.

Ib.

§ 2. In case the mayor shall, from any cause, be unable to attend to the discharge of his duties as a health officer, the board of health may choose one of their own number as president, who shall possess all the powers and perform all the duties of mayor under this chapter.

Commissioners of health.

§ 3. The health officer, resident physician, and health commissioner of the city, shall be the commissioners of health.

Health officer.

§ 4. The health officer shall perform all the duties hereafter specified in this chapter, and such other duties as the board or commissioners of health shall lawfully require.

His assistant.

§ 5. The health officer may appoint an assistant, for whose conduct he shall be responsible, and who may perform all the duties required of the health officer. Such as-

sistant, before he shall enter on the duties of his office, shall take the oath prescribed in the constitution of this state.

§ 6. The resident physician shall visit all sick persons reported to the mayor, or to the board of commissioners of health, and shall perform such other duties as the board of health shall enjoin. Resident physician.

§ 7. The health commissioner, under the direction of the board of health, shall assist the resident physician in the discharge of his official duties. Health commissioner.

§ 8. He shall also receive all monies appropriated to the use of the marine hospital, and shall pay all demands against the hospital that shall be approved by a majority of the commissioners of health; and before he shall enter on the duties of his office, shall execute a bond in the penal sum of five thousand dollars, conditioned for the faithful performance of his trust, and with such sureties as the mayor or recorder of the city shall approve. The bond shall be given to the people of this state, and be filed by the officer taking it, in the office of the clerk of the city and county. Ib. to give bond.

§ 9. He shall render to the board of health, a monthly account of his receipts and disbursements on account of the marine hospital, and shall deposit the balance that shall appear to be in his hands, in such bank in the city of New-York as the board shall designate, to the credit of the commissioners of health. To account and deposit monies.

§ 10. The monies so deposited shall not be drawn out, except on the check of the health commissioner, countersigned by the president of the board of health. Monies how drawn.

§ 11. In the discharge of their duties, the resident physician and health commissioner shall meet daily at the office of the board of health, during such part of the year and at such hours of the day as the board shall designate. Meeting of physician and commissioner.

Their salaries.

§ 12. The resident physician and health commissioner, shall each receive an annual salary of one thousand dollars; and the health officer, as physician of the marine hospital, a like salary of four hundred and fifty dollars; and such salaries shall be paid out of the monies appropriated for the use of the marine hospital.

Fees of health officer.

§ 13. The health officer shall be entitled to receive the following fees for visiting and examining vessels in the discharge of his official duties:

1. For each vessel from a foreign port, six dollars and fifty cents.

2. For each vessel from a place in the United States south of cape Henlopen, if above one hundred and sixty tons, three dollars; if not exceeding one hundred and sixty, and above one hundred tons, two dollars; if below one hundred tons, one dollar.

And such fees shall be paid by the respective masters of the vessels so visited and examined.

Consulting physician.

§ 14. The board of health may, from time to time, appoint so many consulting physicians as they may deem necessary, designate their duties, and fix their compensation.

Inspector of vessels.

§ 15. The board of health shall appoint an inspector of vessels, who shall perform the duties required of him in this chapter, and shall be entitled to receive the following fees:

His fees.

For each cargo inspected by him under the direction of the board of health, three dollars.

For each vessel cleansed and purified by him under the like direction, five dollars.

Which fees shall be paid by the owner or consginee of the cargo inspected or vessel purified.

His duty.

§ 16. It shall be the duty of such inspector, after he shall have performed any service required of him, to make an immediate report of his proceedings and their result, to the board of health, or the mayor and commissioners of health.

TITLE II.

OF QUARANTINE, AND REGULATIONS IN THE NATURE OF QUARANTINE AT THE PORT OF NEW-YORK.

ARTICLE FIRST.

Of the place of Quarantine, and the Vessels and Persons subject thereto.

§ 1. Anchorage place of quarantine.
2. How designated.
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4. What vessels subject to quarantine, and how classed.
5. Quarantine of classes 1 and 2.
6. Regular quarantine of certain vessels in class 3.
7. Of class 5, and of certain vessels in class 4.
8. Steam vessels excepted from regular quarantine.
9. Where no regular quarantine, at discretion of health officer.
10. Certain vessels first arriving in other ports, subject to same quarantine as if arriving direct.
11. Vessels, when to be removed from wharves—by whom—how.
12. Not to return without permit.
13. Certain vessels permitted to pass through the Sound.

Anchorage ground.

§ 1. The anchorage place for vessels at quarantine, shall be as near as may be to the marine hospital on Staten Island.

How designated.

§ 2. The quarantine anchorage shall be designated by buoys, to be fixed under the direction of the health officer, and every vessel subject to quarantine shall anchor within them.

Certain vessels to be anchored there.

§ 3. Every vessel, in this article declared to be subject to quarantine, shall, immediately on her arrival, proceed to and be anchored at the place then assigned for quarantine; and shall remain there with her officers, passengers, and crew, during her quarantine, subject to the examination of the health officer, to the provisions of this title, and to such regulations as the health officer or board of health shall lawfully impose.

Vessels subject to quarantine.

§ 4. Vessels arriving in the port of New-York are declared to be subject to quarantine, and shall be classed as follows:

1. All vessels from a foreign port, having forty or more passengers, or on board of which, during the voyage, or whilst at the port of departure, any person shall have been sick, arriving between the first day of April and the first day of November in any year.

2. All vessels arriving between the thirty-first day of May and the sixteenth day of October, in any year, from any place, in the ordinary passage from which they must pass to the south of Cape Henlopen.

3. All vessels from any place (including islands) in Asia, Africa, or the Mediterranean, or from either of the West India, Bahama, Bermuda, or Western Islands, or from any place in America, in the ordinary passage from which they must pass south of Georgia, arriving between the first day of April, and the first day of November in any year.

4. All vessels fom any place, where yellow, bilious malignant, or other pestilential or infectious fever existed at the time of their departure, or on board of which, during the voyage, any case of any such fever shall have occurred, arriving between the first day of April and first day of November, in any year.

5. All vessels, which, if they had arrived direct from their foreign port of departure, would have been included in the fourth class, that shall arrive at any place in the United States, or British North America, and proceed thence to the port of New-York, between the first day of June and the first day of October, in any year.

Ib. § 5. Every vessel included in the first two classes of the preceding section, shall be subject to such length of quarantine, and other regulations, as the health officer shall designate and enjoin.

Ib. § 6. Every vessel included in the third class, which shall arrive between the thirty-first day of May and the first day of October, in any year, shall remain at quarantine for two

days, and for such further period as the health officer shall deem expedient; but from the provisions of this section, vessels from Canton and Calcutta are excepted, unless they shall have been at some place in the West Indies, or in America south of St. Mary's in Georgia, and north of the Equator, or on the continent or islands near the continent of Africa, after the fifteenth day of May, in the year of their arrival. Vessels subject to quarantine.

§ 7. Every vessel in the fourth class, which shall arrive within the days mentioned in the last section, and every vessel in the 5th class, shall remain at quarantine for at least thirty days after her arrival, and in all cases, at least twenty days after her whole cargo shall have been discharged and landed, and shall perform such further quarantine as the health officer shall prescribe. Ib.

§ 8. All vessels subject to a regular quarantine, shall, if navigated by steam, be subject only to such length of quarantine, and other regulations, as the health officer shall enjoin. Ib.

§ 9. The quarantine of vessels subject thereto, where no period of regular quarantine is prescribed, shall be limited by the discretion of the health officer; but, unless under special circumstances and with the sanction of the board or commissioners of health, it shall not exceed the time requisite for a due examination of the vessel and cargo, and a compliance with the regulations of this chapter. Ib.

§ 10. Every vessel arriving in the port of New-York coastwise, after the first day of June, which has been to the West Indies, or America south of Georgia, shall be subject to the same regulations as are imposed on such vessels under similar circumstances, that have arrived direct at the port of New-York. Ib.

§ 11. The mayor of the city of New-York, or the board, or the commissioners of health, whenever in their judgment the public health shall require it, may order any vessel at the wharves of the city, or in its vicinity, to the quarantine Vessels how removed from wharves.

ground, or other place of safety, and may require all persons, articles or things, landed or introduced into the city from such vessel, to be seized and returned on board, or removed to the quarantine ground. In case the master, owner, or consignee of the vessel cannot be found, or shall refuse or neglect to obey the order of removal, the mayor, or the board of health, shall have power so to remove the vessel, at the expense of such master, owner, or consignee.

Not to return.

§ 12. No vessel, nor person so ordered out, shall return to the city, without the written permit of the board of health, the mayor, or the commissioners of health.

When vessels may pass through the Sound.

§ 13. If any vessel arriving at the quarantine ground, shall be bound to some port eastward of the city of New-York, and beyond this state, the health officer, after having duly visited and examined her, may permit her to pass on her voyage through the Sound; but no such vessel shall, in that case, be brought to anchor off the city, nor shall any of her crew or passengers land in, or hold any intercourse or communication with the city, or with any person therefrom.

ARTICLE SECOND.

Of the Duties of Pilots in relation to Vessels subject to Quarantine.

§ 14. To hail vessels.
15. When to direct them to proceed to quarantine.
16. Duties in conducting vessels into port.

To hail vessels.

§ 14. It shall be the duty of each branch and deputy pilot belonging to the port, to use his utmost endeavours to hail every vessel which he shall discover to be entering the port, and to demand of the master of every such vessel, whether any person has died or been sick on board, during the passage, and whether any pestilential fever existed, at the time of her sailing, at the port whence she sailed.

Further duty.

§ 15. If any of the above questions shall be answered in the affirmative, the pilot shall immediately give notice to

the master of the vessel, that he, his vessel, crew, passengers and cargo, are subject to the examination of the health officer; and shall direct him to proceed and anchor his vessel at the quarantine anchorage, there to await the further directions of the health officer.

Ib. In bringing vessels into port.

§ 16. It shall be the duty of every pilot who shall conduct into port a vessel subject to quarantine—

1. To bring such vessel to anchor within the buoys marking the quarantine anchorage.

2. To prevent any vessel or boat from coming alongside of the vessel under his charge, and to prevent any thing on board from being thrown into any other vessel or boat.

3. To present to the master of the vessel a printed copy of this chapter, when such copy shall have been delivered to him for that purpose.

4. To take care that no violations of this chapter be committed by any person on board, and to report such as may be committed, as soon as may be, to the health officer.

ARTICLE THIRD.

Regulations concerning the Treatment, Conduct, and Duties of Vessels, Articles and Persons under Quarantine.

§ 17. Health officer to visit vessels.
18. May question persons on board—administer oaths.
19. To report to board of health.
20. Certain vessels to be ventilated, &c.
21. Who may be permitted to come to the city.
22. Certain vessels to be unladen, &c.
23. To be whitewashed.
24. Health officer to report to board of health when vessel free from infection, and she to be released.
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33. Cotton, and other articles, when to be landed.
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35. When cotton may be sent to the city.
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37. Boats prohibited from landing at quarantine, or passing through the range of vessels.
38. Lighters to be used by permission and under restrictions of health officer.
39. Vessels not to approach the city without permit.

40. Bonds by persons under quarantine, when given—to whom.
41. Their penalty and condition.
42. When assignable—for what purpose.
43. Poor passengers how supported.
44. Expense chargeable on vessel.
45. Power of health officer to confine sailors—when—how maintained.
46. Quarantine of vessel remaining at quarantine on 1st October.

Health officer to visit vessels.

§ 17. It shall be the duty of the health officer, to enter on board of every vessel subject to quarantine, immediately on her arrival, and to make strict search and inquiry into the health of the officers, crew and passengers, and into the state and condition of the vessel and her cargo.

His powers.

§ 18. In the discharge of this duty, he may put all such questions to the persons on board, as he shall judge necessary and proper, to enable him to ascertain the condition of the vessel, and the length of quarantine to which she ought to be subject; and the persons to whom such questions may be put, shall, if required, answer the same under oath, which the health officer is authorised to administer.

To report.

§ 19. It shall be the duty of the health officer to make to the board of health a report respecting every vessel that he shall visit, and containing all such information as may enable the board to determine what measures, in respect to such vessel, ought to be adopted.

Purifying vessels, &c.

§ 20. Every vessel subject to a regular quarantine of two days, shall, during its quarantine, be thoroughly ventilated and cleansed, and the clothing and bedding of the crew and passengers be well washed and aired.

Who may come to the city.

§ 21. Captains and passengers, arriving from healthy ports, and in healthy vessels subject to a quarantine of two days, may on their arrival be permitted to come into the city, without any baggage.

Vessels to be unladen, &c.

§ 22. The master, owner, or consignee, of every vessel subject to a regular quarantine of thirty days, shall forthwith, upon the requisition and under the direction of the health officer, cause such vessel to be unladen, cleansed and purified.

To be white-washed.

§ 23. Every vessel mentioned in the last preceding section, shall, during her quarantine, be at least three times thoroughly whitewashed in every part of the inside, except such parts as have been painted or varnished, which shall be purified as the health officer shall direct; and such vessel shall be fumigated with mineral acid gas, when required by the health officer. There shall be an interval of at least four days between each white-washing, and when the weather permits, wind-sails shall be kept in each hatchway of the vessel.

Vessel when to be released.

§ 24. When the requisitions of the preceding section shall have been complied with, and the regular period of quarantine shall have expired, if the health officer shall judge the vessel clean and free from infection, he shall make a full report of all the circumstances affecting the health of the vessel, and of her actual condition, to the board of health, who may then release the vessel from quarantine.

Cargo to be landed, etc.

§ 25. It shall be the duty of the health officer to cause the cargo of every such vessel to be landed at the quarantine ground, or at some other suitable place out of the city, and there to be properly ventilated and cleansed, for at least twenty days.

Certain articles excepted.

§ 26. From such ventilation and cleansing, alum, chalk, coals, distilled, expressed, and fermented liquors, drugs and medicines, dye-woods, glass, stone and earthenware, fruit in a sound state, honey, ivory, lignum-vitæ, mahogany, metallic substances, marble, oils, paints, resin, salts, spices, syrups, tar, turpentine, turtle-shell, wax, and such other articles of the cargo as may be sufficiently purified by washing with water or are not liable to retain infection, shall be excepted, if the authority to make such exception shall have been given to the health officer by the board of health, or the mayor and commissioners of health.

Cargo when admitted to the city.

§ 27. No portion of such cargo, other than articles excepted under the preceding section, shall be conveyed to

the city, without the permit of the board of health, which shall not be given until the health officer, or some special agent approved of by the board of health, shall have reported to the board, that such cargo has been properly ventilated and cleansed, and is in a sound condition and free from infection.

Crew, passengers, etc. when admitted.

§ 28. None of the officers, passengers, or crew of any such vessel, shall proceed to or enter the city, until fifteen days after the sailing of the vessel from her foreign port of departure, nor until fifteen days after the last case of pestilential or infectious fever that shall have occurred on board, nor until ten days after landing at quarantine.

Certain articles to be destroyed.

§ 29. The health officer, if he shall judge it necessary to prevent infection or contagion, may cause any bedding or clothing on board a vessel subject to quarantine, or any portion of her cargo that he may deem infected, to be destroyed.

West India produce to be purified.

§ 30. If there shall be any West-India produce or merchandise, other than such articles as are enumerated in the twenty-sixth section of this title, or that may be excepted under that section, on board of any coasting vessel subject to quarantine, it shall be the duty of the health officer, except in the cases mentioned in the next succeeding section, to order such produce or merchandise to be landed for purification, at the quarantine ground, or at some suitable place out of the city, subject to his orders and regulations, or, if not landed at the quarantine ground, to those of the mayor and commissioners of health.

Except in certain cases.

§ 31. The landing of such produce or merchandise from any such vessel, shall not be required, if the master shall exhibit satisfactory proof that it is free from damage, and has been landed in the United States or some British port of North America more than twenty days; or that the port in the West-Indies where it was shipped, was healthy at the time of such shipment, and that the vessel in which it

was imported, was also healthy, from the time of her departure from the United States, or British port of North America until her return.

Rags, hides and skins, when landed.

§ 32. All rags, hides, and skins, arriving in vessels subject to the examination of the health officer, between the thirty-first day of May and the first day of October in any year, shall be discharged at the quarantine ground: if the health officer, on examination, shall find the articles so discharged to be sound, he may grant a permit for their removal to those parts of the city, where their entry is permitted, unless they shall have arrived under the circumstances mentioned in the next succeeding section. If, in his opinion, such removal would be dangerous to the public health, the health officer shall detain such articles until they shall have been cleansed or purified, or until, in his judgment, they may be removed with safety.

Cotton and other articles to be detained.

§ 33. All cotton, all the articles enumerated in the last preceding section, and all other articles in the opinion of the health officer likely to imbibe and retain infection, shall be detained at the quarantine ground, or at some other suitable place without the limits of the city, until the first day of November, if they shall arrive between the thirty-first day of May and the first day of November, in any vessel on board of which any person is, or shall have been sick, of any pestilential or infectious fever during the time the cargo was on board, or which shall have brought such articles from a port where such fever existed at the time of, or shortly previous to their shipment.

When to be shipped.

§ 34. If in their opinion it shall not be dangerous to the public health, the health officer, the board of health, or the mayor and commissioners of health, may permit such articles to be shipped for exportation by sea, or transportation up the North or East river, in any vessel which shall not approach, whilst loading or when loaded nearer than three hundred yards to the wharves of the city: and if any vessel so loaded, shall approach nearer to the city, the articles

so loaded may be seized and sold by the commissioners of health, for the use of the marine hospital.

When may be sent to the city.

§ 35. If any vessel, subject to quarantine for less than thirty days, and laden in whole or in part with cotton of the United States or their territories, shall have on board any sick person, the character of whose disease cannot be immediately ascertained, the health officer may detain such vessel and cargo at quarantine, for a term not exceeding ten days; and if in his opinion the disease of such sick person is not of a malignant or pestilential nature, he may either release the vessel and cargo from quarantine, or detaining the vessel, may permit the cotton to be sent directly to the city of New-York, or to be put on board of any vessel, at the wharves of the city, for exportation.

Vessels to have colours.

§ 36. Every vessel subject to quarantine, shall be designated by colours, to be fixed in a conspicuous part of the main shrouds of the vessel, and to remain there until the expiration of her quarantine.

Boats not to land, etc.

§ 37. No boat from any outward or inward bound vessel, shall land at the quarantine ground after sunset; nor shall boats of any description, at any time, pass through the range of vessels lying at quarantine, without the permission of the health officer.

Lighters.

§ 38. No lighters shall be employed to load or unload vessels at quarantine, but by the permission of the health officer, and subject to such restrictions as he shall impose.

Vessels not to approach the city.

§ 39. No vessel subject to quarantine, shall approach the city of New-York beyond the place assigned for quarantine, without a written permit from the health officer; nor shall any such permit be granted to any vessel or any portion of her cargo, until the requisitions of this chapter in relation to such vessel or cargo shall have been complied with.

Certain bond may be required.

§ 40. The health officer, whenever he shall deem it expedient, may require any person placed under quarantine to

execute a bond with such sureties as he shall approve, to the commissioners of health, and their successors in office.

Its penalty and condition.

§ 41. The penalty of such bond shall not be less than five hundred, nor more than two thousand dollars, and its condition shall be, that the person executing it, shall not, during his period of quarantine, approach nearer the city-hall in the city of New-York, than the distance of three miles, except in passing the city by water, and that he shall not go into any city or town of the United States, in violation of the quarantine laws thereof.

When assigned

§ 42. If the person executing such bond shall break its condition by visiting any city or town of the United States, other than the city of New-York, the board of health, on the application of the proper authority, may direct such an assignment of the bond to be made, as shall enable the assignee to prosecute thereon, and to apply the penalty thereof, when recovered, to such uses as may be directed by the quarantine laws of the state to which such city or town may belong.

Poor passengers.

§ 43. All passengers placed under quarantine who shall be unable to maintain themselves, shall be provided for by the master of the vessel in which they shall have arrived.

Ib.

§ 44. If the master shall omit so to provide for them, they shall be maintained on shore, and the expense of their maintenance be charged to their vessel; nor shall such vessel be permitted to leave the quarantine, until the monies so expended shall have been repaid.

Sailors, when and how confined.

§ 45. The health officer, upon the application of the master of any vessel under quarantine, and his consenting to pay for the maintenance of the offender whilst in custody, may direct to be confined in some suitable place on shore, any mate, sailor, or mariner on board of such vessel, who shall have committed an offence, punishable by the laws of this state or of the United States, and who cannot be pro-

perly secured for punishment on board of his vessel. Such confinement shall continue during the residue of the quarantine of the offender, or until he shall be proceeded against in due course of law; and the expenses of maintaining the offender shall be charged and paid in the same manner as the expenses of maintaining poor passengers.

Quarantine of certain vessels.

§ 46. All vessels and persons remaining at quarantine on the first day of October, shall thereafter be subject only to such quarantine and restrictions as vessels and persons arriving on or after that day.

ARTICLE FOURTH.

Regulations concerning the Treatment and Conduct of Vessels, Articles and Persons released from Quarantine, or exempt therefrom.

§ 47. Master to deliver permit---to whom.
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50. Inspector's duties in such case.
51. Mayor and commissioners of health to direct the vessel to a wharf when and how vessel may leave the same.
52. Cargoes of certain other vessels, under what restrictions introduced into city.
53, 54, 55. The same.
56. Cargoes of certain vessels not to be brought into city without permit.
57. Permit, when granted.
58. Certain other vessels not to approach within certain bounds in period fixed.
59 Where case of fever, cargo not to be introduced within certain period.
60. Certain vessels not to come within certain bounds.
61. When permit may be granted—by whom.
62. No person from vessel where there has been a case of fever, to enter city until fifteen days after last case.
63. No clothing or merchandise of such vessels to be brought into city until purified.

Master to deliver permit.

§ 47. The master of every vessel released from quarantine, and arriving at the city of New-York, shall, within twenty-four hours after such arrival, deliver the permit of the health officer, at the office of the mayor and commissioners of health, or to such person as they shall direct.

Certain vessels restricted to certain bounds.

§ 48. No vessel subject to a regular quarantine of two days, unless she shall have sailed from some port in the West Indies, or in America south of Louisiana and north of the equator, before the sixteenth day of May; or from

some port in the United States south of Georgia, before the first day of June in the year of her arrival, shall, when released from quarantine, approach within three hundred yards of that part of the island of New-York which lies southward of Bank-street on the North river, and of Eighth-street on the East river, until after the first day of October, in the year of her arrival; unless by virtue of a special permission to be granted under the circumstances mentioned in the three next following sections.

When excepted.

§ 49. If any such vessel shall have arrived from any place in the Mediterranean, in Asia, in America south of the equator, or from the Madeira, Canary, Cape de Verd, Western, Bermuda, or Bahama islands, the mayor and commissioners of health may, by a special permission in writing, direct her to be hauled to a wharf south of the bounds so prescribed; and in their discretion may first order her cargo, or any portion thereof, to be unloaded, subject to their orders and regulations.

Inspector's duty.

§ 50. Where such order for unloading the cargo shall have been made, the inspector of vessels, after such vessel shall have been unloaded, shall see that the vessel and ballast are properly cleansed, and when the same are duly cleansed and purified, shall make his report to the mayor and commissioners of health.

Vessel to be located.

§ 51. The mayor and commissioners of health may then direct the vessel to such wharf as they may deem proper; and no vessel being at a wharf pursuant to such direction, shall, without their permission in writing, depart thence, or change her birth until the first day of the ensuing October.

Certain cargoes may be landed.

§ 52. If any coasting vessel, subject to a regular quarantine of two days, shall be wholly laden with lumber or timber, the mayor and commissioners of health may permit her cargo to be discharged at any wharf they shall designate; but after such discharge, such vessel shall be subject to all restrictions in the preceding sections in this article contained.

Certain vessels may come to the wharves.

§ 53. Any vessel which has been regularly employed in trading to one port or island in the West Indies, or America south of Georgia and north of the equator, for the period of twelve months, immediately preceding her arrival at the port of New-York, and the port or island being free from any yellow, bilious-malignant, or any pestilential or infectious fever, as well as the crew and passengers, and having performed her regular quarantine of two days, and been properly ventilated, and permitted by the health officer to proceed to the stream three hundred yards from the city, may be permitted by the mayor and commissioners of health, to come to the wharf with her cargo on board, on and after the first day of October, provided the cargo in their opinion is of a harmless character.

Ib.

§ 54. Any new vessel, or any other vessel not employed before in the West India or southern trade, south of Georgia, shall be subject to the same regulations as mentioned in the last preceding section, if employed in such regular trade, although she may be so employed for a less period than one year, provided she is in all other respects similarly circumstanced.

Ib.

§ 55. All vessels from the West India islands, and America south of Georgia and north of the equator, being healthy and from healthy ports, after performing two days quarantine, and being properly ventilated, and being permitted by the health officer to come to the stream, three hundred yards from the city, may, after their cargoes shall have been discharged and the vessel well cleaned and purified, be permitted by the mayor and commissioners of health, to come to such wharf as they may designate, to receive their outward cargoes, at any time after the first of October.

Cargoes of certain vessels not to be brought into city, without permit.

§ 56. If any vessel subject to a regular quarantine of two days shall have arrived from any place in the West Indies, or in America south of Georgia and north of the equator, or from any place on the continent or the islands near the continent of Africa; or shall have been at any of the places so enumerated, after the fifteenth day of May, in the year

of her arrival, no portion of her cargo shall be brought into the city before the first day of October, in the year of her arrival, until it shall have been inspected by an inspector of vessels, unless by a special permission, in writing, of the mayor and commissioners of health.

Permit when granted.

§ 57. When such inspector shall have made his report to the mayor and commissioners of health, they may direct such cargo, or any part thereof, to be brought into the city, subject to such regulations as they shall prescribe, or may order it to be landed at some suitable place out of the city, there to be detained at least twenty days and properly ventilated, and then to be brought into the city, subject to their regulations.

Certain vessels not to approach the city.

§ 58. No vessel subject to a regular quarantine of thirty days, when permitted to proceed, shall approach within three hundred yards of the city of New-York, between the first day of June and the first day of October, in the year of her arrival.

Cargo not to be brought to city.

§ 59. No cargo or part of the cargo of any vessel, on board of which, during her voyage, a case of any pestilential fever shall have occurred, shall be brought into the city of New-York between the first day of June and the first day of November, except by the permission, in writing, of the board of health.

Certain vessels not to approach the city.

§ 60. No vessel arriving from any place in the United States north of Cape Henlopen, or in British North America, between the thirty-first day of May and the first day of October in any year, having on board West India produce or merchandise, shall approach within three hundred yards of the island of New-York, southward of the bounds before in this article prescribed, until permitted by the mayor and commissioners of health, and health officer.

When may be permitted.

§ 61. If the master of any such vessel shall exhibit to the mayor and commissioners of health, such satisfactory proof as is required in the thirty-first section of this title, they

may permit the vessel to be hauled to any wharf of the city, and such produce or merchandise may be there landed; otherwise it shall be sent to some suitable place out of the city for purification, subject to their regulations.

Crews, etc. not to enter the city.

§ 62. No person who shall have been one of the crew, or a passenger, in any vessel, at whatever place arriving, on board of which any person shall have been sick of any pestilential fever, shall enter the city of New-York, until fifteen days after the last case of such fever that shall have occurred on board such vessel.

Clothing, etc. not to be brought into city.

§ 63. No person shall bring into the city of New-York any clothing, bedding, or merchandise, that shall have been on board of any such vessel as is referred to in the last preceding section, until such article shall have been cleansed and purified; and all such articles brought into the city contrary to this section, may be seized and sold by the commissioners of health, for the use of the marine hospital.

ARTICLE FIFTH.

Of the Regulation of Intercourse with Infected Places.

§ 64. Proclamation of Mayor, &c. of infected places.
65. Period for its ceasing to be fixed—may be extended.
66. Vessels arriving after proclamation, subject to quarantine of at least thirty days.
67. Board of Health may regulate internal intercourse with infected places.

Proclamation of infected places.

§ 64. The mayor of the city of New-York, or the president, at the time, of the board of health, may issue his proclamation, declaring any place where there shall be reason to believe a pestilential or infectious fever actually exists, to be an infected place within the meaning of the health laws of this state.

Ib.

§ 65. Such proclamation shall fix the period when it shall cease to have effect; but such period, if they shall judge the public health to require it, may from time to time be extended by the board of health, and notice of such ex-

tension shall be published in one or more of the newspapers of the city.

§ 66. After such proclamation shall have been issued, all vessels arriving in the port of New-York from such infected place, shall be subject to a quarantine of at least thirty days, and, together with their officers, crews, passengers and cargoes, to all the provisions, regulations and penalties of this chapter, in relation to vessels subject to a similar quarantine. Consequence of.

§ 67. The board of health may, in their discretion, prohibit or regulate the internal intercourse by land or water, between the city of New-York and such infected place; and may direct, that all persons who shall come into the city of New-York, contrary to their prohibitions or regulations, shall be apprehended and conveyed to the vessel or place whence they last came; or, if sick, that they be conveyed to the marine hospital, or such other place as the board of health shall direct. Powers of board of health

ARTICLE SIXTH.

Penalties for violating the Provisions of this Title.

§ 68. Master who shall not proceed to quarantine, submit to examination of health officer, furnish information, remain at quarantine, and comply with regulations, etc. punishable for misdemeanor—fine or imprisonment.
69, 70. Violating certain provisions, the same.
71. Giving false information to pilot, landing goods or persons, proceeding beyond quarantine ground, the same.
72. Every person violating certain provisions, the same.
73. Opposing or obstructing health officer in the performance of his duties, the same.
74. Entering quarantine ground, the same.
75. Violating § 37, the same, fine only.
76. Holding intercourse with vessel, the same, fine or imprisonment.
77. May be detained at quarantine.
78. Health officer to give information of such transgression.
79. Master violating § 36, to forfeit certain sum.
80. Every person violating certain provision, the same.
81. Person leaving quarantine, same—duty of magistrates in such case.
82. Pilot violating article 2d, punishable for misdemeanor---fine.
83. Suspension of pilot.
84. Violation of article 5, misdemeanor---punishable by fine or imprisonment.

§ 68. Every master of a vessel subject to quarantine, arriving in the port of New-York, who shall refuse or neglect either. Penalties on masters

§ 1. To proceed with and anchor his vessel at the place assigned for quarantine, at the time of his arrival:

2. To submit his vessel, cargo, and passengers, to the examination of the health officer, and to furnish all necessary information to enable that officer to determine to what length of quarantine and other regulations they ought respectively to be subject:

3. To remain with his vessel at quarantine during the period assigned for her quarantine: and whilst at quarantine, to comply with the directions and regulations of this chapter, and with such as any of the officers of health, by virtue of the authority given to them in this chapter, shall prescribe in relation to his vessel, his cargo, himself, or his crew:

Shall be considered guilty of a misdemeanor, punishable by fine or imprisonment; the fine for each offence not to exceed two thousand dollars, nor the imprisonment twelve months.

Penalties on masters.

§ 69. Every such master who shall violate the provisions of the thirty-ninth and forty-seventh sections of this title, by refusing or neglecting to comply with any of the directions in those sections respectively contained, shall be considered guilty of the like offence, and be subject for each offence to the like punishment.

Ib.

§ 70. Every master of a vessel who shall violate the provisions of the thirtieth, thirty-first, sixtieth, and sixty-first sections of this title, by refusing or neglecting to comply with the directions therein contained, or with the orders and regulations of the mayor and commissioners of health by virtue of the authority therein given, shall be considered guilty of the like offence; the fine not to exceed five hundred dollars, nor the imprisonment six months.

Ib.

§ 71. Every master of a vessel hailed by a pilot, who shall either—

1. Give false information to such pilot relative to the condition of his vessel, crew, passengers, or cargo, or the

health of the place or places whence he came, or refuse to give such information as shall be lawfully required:

2. Or land any person from his vessel, or unlade or transship any portion of his cargo before his vessel shall have been visited and examined by the health officer:

3. Or shall approach with his vessel nearer the city of New-York than the place of quarantine to which he shall be directed:

Shall be considered guilty of the like offence, and for each offence shall be fined in a sum not exceeding five hundred dollars. And every person who shall land from any such vessel, or unlade or transship any portion of her cargo, under the like circumstances, shall be considered guilty of the like offence, and be subject to the like penalty.

Penalties for violating certain provisions.

§ 72. Every person upon whom any duty is or shall be enjoined, or prohibition laid under the following sections, namely, the fourth, sixth, eighth, ninth, tenth, eleventh, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-seventh, twenty-eighth, forty-eighth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-fifth, fifty-sixth, fifty-seventh, fifty-eighth, and fifty-ninth sections of this title, who shall violate any provisions in the sections so enumerated, by refusing or neglecting to obey the directions, regulations or prohibitions therein contained, or such orders and regulations as shall be made by the officers of health therein named under the authority there given, shall be considered guilty of the like offence, and for each offence be fined in a sum not exceeding two thousand dollars, or imprisoned for a term not exceeding twelve months.

Obstructing health officer.

§ 73. Every person who shall oppose or obstruct the health officer in performing the duties required of him in this title, shall be considered guilty of the like offence; the fine for each offence not to exceed five hundred dollars, nor the imprisonment three months.

Entering quarantine ground.

§ 74. Every person who, without the authority of the health officer or board of health, shall go within the enclo-

sure of the quarantine ground, shall be considered guilty of the like offence; the fine for each offence not to exceed one hundred dollars, nor the imprisonment thirty days.

Violating § 37. § 75. Every person who shall violate the prohibition of the thirty-seventh section of this title, shall be considered guilty of the like offence, and be fined for each offence in a sum not exceeding fifty dollars.

Intercourse with vessels. § 76. Every person who shall go on board of, or have any communication, intercourse or dealing with any vessel at quarantine, without the permission of the health officer, shall be considered guilty of a misdemeanor, punishable by fine or imprisonment.

When offenders detained. § 77. Such offender shall also be detained at quarantine so long as the board of health shall direct, not to exceed twenty days, unless he shall be taken sick of some pestilential or infectious disease.

Notice of offences. § 78. It shall be the duty of the health officer to give immediate information to the board of health, of every such transgression, the circumstances attending it, and the condition of the vessel with which a communication shall have been had, that the board may determine how long the offender ought to be detained at quarantine.

Violating § 36. § 79. Every master of a vessel who shall not comply with the directions of the thirty-sixth section of this title, shall forfeit for each offence the sum of fifty dollars, and the further sum of three dollars for every hour he shall so offend.

Do. § 62 and 63. § 80. Every person who shall violate the prohibitions of the sixty-second and sixty-third sections of this title, shall for each offence forfeit the sum of five hundred dollars.

Eloping from quarantine. § 81. Every person under quarantine, shall be subject to the same penalty, who shall elope from or go beyond the bounds assigned to him for his quarantine; and it shall be the duty of every justice of the peace or other magistrate

before whom any such offender shall be brought, to order him by warrant to be re-conveyed to the quarantine ground, there to remain for the residue of his term of quarantine.

Penalties on pilots.

§ 82. Every pilot who shall refuse or neglect to perform the duties enjoined on him in any of the provisions contained in the second article of this title, shall be considered guilty of a misdemeanor, and shall be fined for each offence in a sum not exceeding two hundred dollars.

Proceedings against pilots.

§ 83. Whenever the commissioners of health, or either of them, shall charge in writing any pilot with any violation of neglect of duty, the warden of the port shall suspend such pilot from his office, until he shall have entered into a recognizance before some magistrate in the city of New-York, in the sum of two hundred dollars, and with sufficient sureties, to appear and answer to the offence charged, at the next court of general sessions for the city and county of New-York.

Violation of article 5.

§ 84. Every person who shall violate the provisions of the fifth article of this title, by refusing or neglecting to obey or comply with any order, prohibition or regulation made by the board of health in the exercise of the powers therein conferred, shall be considered guilty of a misdemeanor, punishable by fine or imprisonment, in the discretion of the court by which the offender shall be tried.

TITLE III.

INTERNAL REGULATIONS FOR THE PRESERVATION OF THE PUBLIC HEALTH IN THE CITY OF NEW-YORK.

ARTICLE FIRST.

Of certain Duties and Powers of the Board of Health, the Mayor and Commissioners of Health.

1. Board of health may appoint health wardens, direct examination of buildings and lots, and enclose streets.
2. How to act in prevention of diseases.
3. Board of health or commissioners may remove or destroy any thing injurious to public health.
4. May send non-residents to marine hospital.
5. Commissioners must communicate to board of health all reports and information.

§ 1. The board of health shall have power,

Power of the board of health

1. To appoint from time to time so many health wardens and other officers, to carry into effect the provisions of this title, and the rules and regulations of the board, as they may deem necessary:

2. To authorise such officers, at such times as the board shall think fit, to enter into and examine in the day-time, all buildings, lots and places of every description, within the city, and to ascertain and report to the board the condition thereof, so far as the public health may be affected thereby:

3. To give all such directions and adopt all such measures, as in their judgment may be necessary, for cleansing and purifying all such buildings, lots and other places; and to do or cause to be done every thing in relation thereto, which in their opinion may be proper to preserve the health of the city:

4. To cause any avenue, street, alley or other passage whatever, to be fenced up, or otherwise enclosed, if they shall think the public safety to require it, and to adopt suitable measures for preventing all persons from going to any part of the city so enclosed.

§ 2. It shall be the duty of the board of health,

Its duties.

1. To adopt prompt measures to prevent the spreading of a contagious disease, when it shall appear to them by a report of the resident physician or health commissioner, or of a consulting physician, that any person within the city is afflicted with a disease of that character:

2. To forbid and prevent all communications with the house or family so infected, except by means of physicians, nurses or messengers, to carry the necessary advice, medicines and provisions to the afflicted:

3. To adopt such measures for preventing all communication, between any part of the city infected with a fever of

a malignant or contagious character, and all other parts of the city, as shall be prompt and effectual; and,

4. To exercise all such other powers, whenever a contagious disease shall appear in the city, as in their judgment the circumstances of the case and the public good shall require.

Putrid articles, &c. to be destroyed.

§ 3. The board of health, or the mayor and commissioners of health, when they shall judge it necessary, may cause any cargo or part of a cargo, or any matter or thing, within the city, that may be putrid or otherwise dangerous to the public health, to be destroyed or removed; such removal, when ordered, shall be to the quarantine ground, or such other place as the board of health shall direct.

Persons to be sent to the marine hospital.

§ 4. The board of health, the mayor or either of the commissioners of health, may send to the marine hospital, or such other place as the board of health shall direct, all persons in the city, not residents thereof, who shall be sick of any malignant or contagious fever.

Report to board of health.

§ 5. It shall be the duty of the commissioners of health, from time to time, to communicate to the president of the board of health, all reports that shall be made to them, or either of them, under the provisions of this chapter; and it shall be the further duty of the commissioners, and of each of them, so to communicate all information in their power that may better enable the board of health to preserve the health of the city.

ARTICLE SECOND.

Of the Duties of Physicians and other persons.

§. 6. Certain duties of practising physicians; to report patients.
7. Do. of keepers of boarding houses.
8. Do. of masters, &c. of vessels.
9. Do. of commissioners of health and consulting physicians; to report practising physicians.

§ 6. It shall be the duty of each practising physician in the city of New-York,

1. To make a report it writing to the mayor, the board of health, or either of the commissioners of health, of every patient he shall have labouring under yellow, bilious-malignant or other pestilential or infectious fever, between the thirty-first day of May and the first day of November in any year, and within twenty-four hours after he shall ascertain or suspect the nature of the disease:

2. To report, if so directed by the board of health, every patient he shall have between the same days, labouring under fever of any description, and to state in his report, the specific name and type of such fever:

3. To report, when required by the board of health, the death of any of his patients who shall have died of fever, within forty-eight hours after such death shall have occurred, and to state in such report, the specific name and type of such fever.

Keepers of boarding-houses.

§ 7. Every person keeping a boarding or lodging house in the city of New York, between the days mentioned in the preceding section, shall report in writing to the mayor, the board of health, or either of the health commissioners, the name of every seafaring man, boarder, or passenger, by sea, who shall be sick in his house with fever, within twelve hours after each case of sickness shall have occurred.

Masters, &c. of vessels.

§ 8. Every master, owner or consignee of a vessel lying at a wharf, or in the harbour of the city of New-York, shall make a like report, and within the same period, of the name of every sick person on board such vessel; and no such person shall be removed therefrom, without a written permit for that purpose from the mayor, the board, or one of the commissioners of health.

Proceedings for neglect.

§ 9. It shall be the duty of each commissioner of health and of each consulting physician, to make an immediate report to the board of health of the name of every practising physician by whom he shall have reason to believe the provisions of the sixth section of this title have been violated; and if any such commissioner or consulting physician shall neglect or refuse to perform this duty, the board of health shall suspend him from his office.

ARTICLE THIRD.

Prohibitions and Penalties.

§. 10. Respecting salted provisions.
11. Relative to pickled beef, &c.
12. Not to apply to small dealers, &c.
13. All salted provisions, &c. to be reported to mayor.
14. Board of health may cause such articles to be removed.
15. Expense of removal to be paid by owner.
16. Butchers and heads of families excepted.
17. Violation of these provisions, misdemeanor, &c.
18. Rags, hides and skins, not to be taken within certain bounds.
19. Exception as to small quantities.
20. Master or owner to report damaged cotton.
21. Under penalty of $500.
22. Persons violating sections 1 and 2, guilty of misdemeanor, &c.
23. Practising physician violating duties imposed, guilty of misdemeanor, &c.
24. Do. as to keepers of boarding-houses.

Salted provisions.

§ 10. No salted provisions shall be packed or repacked at any season of the year, in that part of the city of New-York, lying south of a line drawn from the Hudson river through the centre of Canal-street to Sullivan-street, through Sullivan-street to Grand-street, through Grand-street to Walnut-street, and through Walnut-street to the East river.

Ib.

§ 11. From the first day of May to the first day of October in any year, no salted or pickled beef, pork or fish, except smoked beef, and fish, shall be deposited in the city south of the line above described.

Exceptions.

§ 12. The last preceding section shall not be construed to prevent retail grocers or other small dealers from keeping on hand, for the use of their customers, small quantities, not exceeding five barrels of each kind of the provisions therein mentioned, if the provisions so kept be sound and in good order.

To be reported.

§ 13. All salted or pickled provisions, and all hides, skins and cotton, that shall remain deposited in the city, south of the line described in the tenth section of this title, on the first day of June in any year, shall be reported by the owner or person having charge thereof, to the mayor, the board, or one of the commissioners of health, that the same may be examined and if necessary, destroyed or removed.

How removed. § 14. If such articles, when ordered to be removed by the board of health, shall not be forthwith removed by the owner or person having charge thereof, the board of health shall cause them to be removed to some safe place, there to remain, at the risk of the owner.

Expenses. § 5. The expense of the removal and subsequent storage of such articles, shall be borne by the owner or person having charge thereof when removed, and if paid in the first instance by the board of health, may be recovered by them in an action against such owner or bailee, or if payment of such expenses be refused by the owner or bailee, the board may cause such articles to be sold, and account for the proceeds, deducting such expenses and the costs of sale.

Exceptions. § 16. Nothing contained in this article shall be construed to extend to provisions exposed for sale by butchers in the public markets, or kept by the heads of families for family use.

Penalties. § 17. Every person who shall refuse or neglect to obey the directions of this article, or of the board of health, pursuant thereto, in relation to the provisions and other articles above mentioned, shall be considered guilty of a misdemeanor, and on conviction, shall be fined for each offence in a sum not exceeding five hundred dollars, or be imprisoned for a term not exceeding six months.

Rags, hides and skins, to be kept within certain bounds. § 18. No rags, hides or skins, arriving in the port of New York, between the thirty-first day of May and the first day of October in any year, shall be taken to any place in the city, south of a line beginning at Spring-street on the North river; thence along that street to the Bowery; thence down the Bowery to Grand-street; and thence through Grand-street to Walnut-street; and thence through Walnut-street to the East river; and all such articles brought into the city contrary to the above provision, may be seized and sold by the commissioners of health, for the use of the marine hospital.

§ 19. The board of health or the mayor and commissioners of health, may however permit sound hides and skins to be brought into the city, south of the line last described, in small quantities, and for the purpose of immediate manufacture, but not otherwise. Exception.

§ 20. It shall be the duty of the master and owner of every vessel that shall have brought cotton into the city, between the first day of May and the first day of November in any year, and of the owner and consignee of such cotton, if upon examination, it shall appear damaged or otherwise unsound, to make an immediate report thereof to the mayor and commissioners of health. Damaged cotton to be reported.

§ 21. Every master or owner or consignee, refusing or neglecting to perform the duties so enjoined, shall, for each offence, forfeit to the commissioners of health, the sum of five hundred dollars. Penalty for neglect.

§ 22. Every person who shall violate any order or direction of the board of health, made or given in the exercise of the powers vested in them by the first and second sections of this title, shall be considered guilty of a misdemeanor, punishable by fine and imprisonment. Disobeying order of board of health.

§ 23. Every practising physician, who shall refuse or neglect to perform the duties enjoined on him in the sixth section of this title, shall be considered guilty of a misdemeanor, and shall forfeit for each offence the sum of two hundred and fifty dollars, to be sued for and recovered by the board of health. Penalty on physicians.

§ 24. Every keeper of a boarding or lodging house, and every master, owner or consignee of a vessel, who shall refuse or neglect to obey the directions of the seventh and eighth sections of this title, shall be considered guilty of a misdemeanor, and on conviction shall be fined for each offence in a sum not exceeding two hundred and fifty dollars, or be imprisoned for a term not exceeding six months. Penalty on keepers of boarding-houses.

TITLE IV.

OF THE MARINE HOSPITAL AND ITS FUNDS.

1. The marine hospital held by commissioners of health.
2. Commissioners have the superintendence—health officer, physician.
3. Commissioners to furnish boat for health officer.
4. Care of sick persons—not to be removed without permit.
5. Persons eloping may be apprehended.
6. Expenses to be paid, by whom, and who not liable therefore.
7. Sums payable as hospital money, from whom.
8. Hospital money how applied—commission for health commissioner.
9. From whom master may recover monies.
10. How monies payable by masters of coasting vessels—when—where—penalty.
11. Commissioners must account to comptroller—use of surplus.
12. Sums necessary to keep buildings in repair, part of annual expenses—appropriation of present balance.

Hospital by whom held.

§ 1. The hospital erected on the easterly shore of Staten Island and the land adjoining thereto, belonging to the state, shall continue to be denominated "the Marine Hospital," and shall, together with all buildings and improvements, made or to be made thereon, be held by the commissioners of health, in trust for the people of this state, for the purposes specified in this chapter.

Control thereof.

§ 2. The health officer shall, by right of office, be physician of such hospital, and the commissioners of health shall in all other respects have the superintendence thereof; make rules and orders for its government and management, employ mates, nurses and attendants therefor, and provide bedding, clothing, fuel, provisions, medicine, and such other articles as shall be requisite therein.

Boat.

§ 3. The commissioners of health shall, at all times, furnish a convenient boat with sufficient boatmen, for the use of the health officer, the expense of which shall be charged to the funds of the hospital.

Sick persons how kept, &c.

§ 4. Every sick person sent to the marine hospital, shall be there kept and attended to, with all necessary and proper care; and no such person shall leave the hospital until the health officer shall grant a discharge in writing.

Proceedings against those eloping.

§ 5. The health officer may direct, in writing, any constable or other citizen to pursue and apprehend any person, not discharged, who shall elope from the hospital, and to deliver such person at the hospital, to be there detained until regularly discharged. It shall be the duty of the consta-

able, or citizen so directed, to obey such directions; and every person who shall so elope, shall be considered guilty of a misdemeanor, punishable by fine or imprisonment.

Expenses by whom to be paid.

§ 6. All persons sent to the marine hospital, or any other hospital provided by the board of health, other than those who shall have paid hospital money, and such poor persons as the board of health shall exempt, shall pay a reasonable sum for their board, medicine and attendance; and for the recovery of such sum the commissioners of health may sue in their name of office.

Hospital money who to pay.

§ 7. The health commissioner shall demand, and be entitled to receive, and in case of neglect or refusal to pay, shall sue for and recover, in his name of office, the following sums, from the master of every vessel that shall arrive in the port of New-York, namely:

1. From the master of every vessel from a foreign port, for himself and each cabin passenger, one dollar and fifty cents; for each steerage passenger, mate, sailor, or mariner, one dollar.

2. From the master of each coasting vessel, for each person on board, twenty-five cents; but no coasting vessel from the states of New-Jersey, Connecticut and Rhode-Island, shall pay for more than one voyage in each month, computing from the first voyage in each year.

How applied.

§ 8. The monies so received, shall be denominated "hospital monies," and shall be appropriated to the use of the marine hospital, deducting a commission to the health commissioner of two and one half per cent. for collection.

How recovered by masters.

§ 9. Each master paying hospital monies, shall be entitled to demand and recover, from each person for whom they shall be paid, the sum paid on his account.

Coasting vessels when to pay.

§ 10. Every master of a coasting vessel shall pay to the health commissioner, at his office, in the city of New-York, within twenty-four hours after the arrival of his vessel in the port, such hospital monies as shall then be demandable from him, under the provisions of this title; and every master, for each omission of such duty, shall forfeit the sum of one hundred dollars.

Accounts, surplus.

§ 11. The commissioners of health shall account annually to the comptroller, for all monies received by them, or either of them, for the use of the marine hospital; and if such monies shall, in any one year, exceed the sum necessary to defray the expenses of their trust, including their own salaries, and exclusive of such expenses as are to be borne and paid as a part of the contingent charges of the city of New-York, they shall pay over such surplus to the treasurer of the society, for the reformation of juvenile delinquents in the city of New-York, for the use of that society.

Charges on fund, balances on hand.

§ 12. The sums necessary to keep the buildings and improvements of the marine hospital in good repair, shall be charged as a part of its annual expenses; and the balance of hospital monies, now or hereafter in the hands of the commissioners of health, whether invested in stock, or otherwise, shall remain appropriated to supply any deficiency that may occur, of the annual funds, to meet the annual expenses of the hospital, and to defray the expenses of erecting such other hospitals, or buildings, as the governor shall from time to time direct; and no sale of stock shall be made by the commissioners, except by the order of the governor.

TITLE V.

GENERAL PROVISIONS APPLICABLE TO THE CITY OF NEW-YORK.

1. Limited provisions may be extended by proclamation.
2. Proclamation may be revoked.
3. To whom fines, &c. payable, and how to be applied.
4. Commissioners to give information to district attorney, of offences.
5. Suits not to abate on death of officers.
6. Provisions of Chapter, how far to extend—not to interfere with common law respecting nuisances.
7. Board of health may cause copies of this chapter to be printed—to whom to be delivered.
8. Magistrates to aid board of health.

Certain provisions how extended.

§ 1. Whenever it shall appear to the board of health, that any provisions of this chapter, limited in their operation to a certain period of the year, ought to be extended, the mayor of the city shall issue his proclamation, extending such provisions to such time as shall be mentioned in the proclamation; and such provisions shall thereupon be ex-

tended accordingly, and with the like effect, as if the periods mentioned in the proclamation, had been enacted in this chapter.

How revoked.

§ 2. If it shall appear to the board of health, whilst such proclamation is still in force, that the necessity of extending the period therein named has ceased, the mayor, by a new proclamation declaring that fact, shall revoke the proclamation first issued, which, from that time, shall cease to have effect.

Penalties how collected, to whom to be paid.

§ 3. All fines, forfeitures and penalties, imposed in this chapter, or under the powers delegated therein, shall be paid to the commissioners of health, as a part of the funds of the marine hospital; and such as are recoverable by suit, including the penalties of bonds taken from persons under quarantine, and excepting such as are, or shall be, imposed on physicians, shall be sued for by the commissioners of health, in their name of office.

Information.

§ 4. It shall be the duty of the commissioners of health and of each of them, to give information to the district attorney of the city and county of New-York, of all offences against the provisions of this chapter, that shall come to their knowledge, that he may prosecute the offenders without delay, in the court of sessions of the city.

Suits not to abate.

§ 5. No suit that shall be brought by the board or the commissioners of health, or the health officer, in their respective names of office, in pursuance of the authority given in this chapter, shall abate on account of the death of the officer, or officers, by whom the same shall be commenced.

Extent of this chapter.

§ 6. The provisions of the previous titles of this chapter, shall extend to all diseases, which, in the opinion of the board of health, shall be deemed dangerous to the public health; and nothing in this chapter contained, shall be construed to interfere with the remedies against nuisances, provided by the common law.

Parts of this chapter to be printed and circulated.

§ 7. The board of health shall, from time to time, cause such parts as they shall deem necessary, of this chapter, to be printed, and shall deliver the same to the respective pilots of the port, for distribution to the masters of vessels

All officers, &c. to aid.

subject to quarantine; the expenses of printing shall be defrayed out of the monies appropriated for the use of the marine hospital.

§ 8. It shall be the special duty of all magistrates and civil officers, and of all citizens of the state, to aid to the utmost of their power the board of health, and all the health officers mentioned in this chapter, in the performance of their respective duties.

TITLE VI.

REGULATIONS FOR THE PRESERVATION OF PUBLIC HEALTH IN OTHER PORTS AND PLACES OF THE STATE.

1. How vessels to perform quarantine in Albany, Troy and Hudson
2. Persons violating provisions, guilty of misdemeanor.
3. Powers of persons authorized to execute this title.
4. Health officers in Albany and Hudson, duties—fees.
5. Board of health in Brooklyn—who president and clerk.
6. May appoint a health physician.
7. Duty of health physician.
8. How vessels subject to quarantine at New-York, permitted to enter Brooklyn.
9. Master to deliver permit, to whom.
10. Master violating preceding provisions, guilty of misdemeanor.
11. Board may order vessels to be removed.
12. Order to be in writing—by whom signed—how served.
13. Penalty on persons violating order.
14. Practising physicians to report patients.
15. Penalty for not reporting.
16. Duties of keepers of boarding-houses in certain periods.
17. In same period, sick persons not to enter village.
18. Violation of two last sections, misdemeanor.
19. Certain powers of board of health.
20. Persons violating orders of board, guilty of misdemeanor.
21. Fines—to whom paid—how applied.
22. Two justices of any town may remove sick strangers.

Quarantine at Albany, Troy and Hudson.

§ 1. No vessel having on board any person infected with any pestilential or infectious disease, or coming from a place so infected, shall enter any other of the ports or harbours of this state, until such quarantine as the persons hereinafter mentioned shall direct, shall have been performed, namely: for the cities of Albany, Troy and Hudson, and upon the Hudson river opposite to those cities, and within one mile above and below the same, the mayor, or, in his absence, the recorder of those cities respectively.

Penalties.

§ 2. Every person so subject to quarantine, who shall violate any of the regulations to be prescribed respecting

the same, shall be considered guilty of a misdemeanor, and shall be fined in a sum not exceeding five hundred dollars.

Powers of certain officers.

§ 3. The persons authorised to execute this title in the cities of Albany, Troy and Hudson, shall respectively have power,

1. To take such measures as they shall deem effectual to prevent the spreading of any infectious disease:

2. To stop, detain and examine, for that purpose, every person coming from any place infected, or believed to be infected, with such a disease:

3. To cause every such person, whom they shall suspect of being infected with such disease, and who shall not be an inhabitant of this state, to be sent out of the state, or to be kept therein, in such manner as not to endanger the public health: and,

4. To appoint such and so many persons to aid them in the execution of their powers, as they shall deem proper.

§ 4. The health officer in each of the cities of Albany and Hudson, shall assist in carrying into effect the provisions of this title; and from the master of each vessel from a foreign port, that he shall visit and examine, shall be entitled to receive the sum of seven dollars and fifty cents.

Board of health in Brooklyn.

§ 5. The board of trustees of the village of Brooklyn, shall continue to be a board of health for that village. The president, or the president for the time, of the village, shall be the president of the board of health; and the clerk of the board of trustees, shall be the clerk of the board of health, and as such, shall keep regular minutes of all their proceedings.

Physician.

§ 6. The board of health shall annually appoint, by warrant, under the common seal of the village, a physician, then being an inhabitant of the village, to be the health physician in and for the village of Brooklyn.

His duty.

§ 7. It shall be the duty of such health physician,

1. To visit all sick persons who shall be reported to the board of health of the village, and to report, without delay, his opinion of the sickness of such persons, to the president of that board:

2. To visit and inspect all vessels coming to the wharves, landing places, or shores in the village of Brooklyn, and suspected to have on board any pestilential disease, and all stores or warehouses, suspected to contain putrid or unsound provisions, and damaged hides, cotton, or other articles; and to make report of the condition of such vessels, provisions, or articles, without delay, to the president of the board of health: and,

3. To meet daily, from the first day of June to the first day of October in each year, at the office of the board of health in the village, with one or more members of the board for the transaction of business.

Certain vessels not to enter village.

§ 8. No vessel subject to quarantine in the port of New-York, shall proceed beyond the place of quarantine on Staten Island, to the village of Brooklyn, without a permit from the health officer of the city of New-York.

Duty of masters.

§ 9. The master of every such vessel arriving in the village of Brooklyn, shall, within six hours after such arrival, deliver the permit of the health officer to the president of the board of health of the village, or to such person as he shall direct.

Penalties.

§ 10. Every master who shall violate the provisions of either of the two last preceding sections, shall be deemed guilty of a misdemeanor, punishable by fine or imprisonment, or both, in the discretion of the court by which he shall be tried; the fine for each offence not to exceed two hundred and fifty dollars, nor the imprisonment six months.

Vessels when to be removed.

§ 11. The board of health of the village, whenever in their judgment the public health shall require it, may order any vessel at any wharf, landing place or shore of the village, to be removed at least five hundred yards from the shores of the village, within six hours from the service of such order.

Order how signed and served.

§ 12. Every such order shall be in writing, and be signed by the president of the board of health of the village, or, in his absence, by a majority of the members of the board; and may be served by a delivery thereof to the person having

ing, at the time, the care or command of the vessel to be removed, or to the master, owner or consignee thereof.

Penalties for disobeying.

§ 13. Every person upon whom such order shall have been duly served, who shall omit to comply with its requisitions, shall be deemed guilty of a misdemeanor, punishable by fine or imprisonment, or both, in the discretion of the court by which he shall be tried; the imprisonment not to exceed six months, nor the fine, for each day the vessel to be removed shall have remained at or near the shores of the village, in violation of the terms of the order, two hundred and fifty dollars.

Sick to be reported.

§ 14. Every practising physician in the village of Brooklyn, shall forthwith make a report in writing, signed by himself, to some one of the board of health of the village, of every patient he shall have, labouring under malignant or yellow fever, or any other pestilential or infectious disease.

Penalty.

§ 15. Every physician who shall omit to make such report, shall forfeit the sum of fifty dollars, and be considered guilty of a misdemeanor.

Keepers of boarding houses to report.

§ 16. Every keeper of a boarding or lodging-house, in the village of Brooklyn, between the first day of June and the fifteenth day of November in each year, shall report in writing, to some one of the board of health of the village, the name of every seafaring man or traveller who shall be sick in his house, within six hours after each case of sickness shall have occurred.

Sick not to enter village.

§ 17. No sick person, between the days mentioned in the last preceding section, shall be removed from any vessel lying at or near the shores of the village of Brooklyn, or from any other place, into the village, until the name of such person shall have been reported in writing, to some one of the board of health of the village, and a written permit for such removal have been granted by the board.

Penalties.

§ 18. Every person who shall violate the provisions of either of the two last preceding sections, shall be deemed guilty of a misdemeanor, punishable by fine or imprison-

ment; the fine for each offence not to exceed one hundred dollars, nor the imprisonment six months.

Powers of board of health

§ 19. The board of health of the village of Brooklyn shall have power,

1. To issue their proclamation, prohibiting or regulating the internal intercourse by land or water, between that village, and any other place where they shall have reason to believe that a pestilential or infectious disease then prevails:

2. In case of the prevalence of any such disease in any part of the village, to enclose and shut up such infected part, so as to prevent all intercourse therewith:

3. To remove to the public hospital of the village, or such other place as they may deem fit, all persons within the village, not being residents thereof, who shall be sick of any pestilential or infectious disease, and all articles and things infected by, or tainted with pestilential disease: and,

4. To cause any bedding or clothing, or any unsound or putrid articles found within the village, to be destroyed, whenever in their judgment such destruction shall be necessary to prevent infection.

Penalty for violating orders.

§ 20. Every person who shall violate any order, rule, or regulation of the board of health of the village, made in pursuance of the powers granted in the last preceding section, shall be deemed guilty of a misdemeanor, punishable by fine or imprisonment, or both, in the discretion of the court by whom the offender shall be tried.

Fines how collected and paid.

§ 21. All fines and forfeitures imposed in any of the preceding sections of this title, from the fifth section inclusive, shall, when collected, be paid to the board of health of the village of Brooklyn, to be applied by them to the purchase, building, or hire, support and maintenance of a public hospital for the village: and such forfeitures as are recoverable by civil suit, shall be sued for by the president of the board of health, in his name of office.

Powers of justices in towns.

§ 22. Any two justices of the peace, in any town of this state, may cause all persons who shall be sick of any infectious or pestilential disease, and not being residents of such town, by an order in writing, to be removed to such place of safety within the town, as they shall deem necessary for the preservation of the public health.

TITLE VII.

GENERAL REGULATIONS CONCERNING THE PRACTICE OF PHYSIC AND SURGERY IN THIS STATE.

§ 1. Presidents of county medical societies to give notice to, and require physicians and surgeons to apply for certificates of admission.
2. If persons notified do not apply, license to be forfeited.
3. Charges may be preferred to society against members for misconduct, &c.
4. If two thirds of members think charges well founded, president to deliver a copy to district attorney.
5. District attorney to serve copy on accused, and give notice of hearing.
6. He shall conduct prosecution and issue subpœnas for both parties.
7. County judges to hear and determine charges—their judgment.
8. and 9. Qualifications for admission to an examination—term of study, &c.
10. Certificates of commencing of studies by students to be filed with president of the society.
11. If deduction from term of study be made, order of president specifying period to be annexed to certificate.
12. When regents to grant degrees of doctor of medicine.
13. In what counties students to be examined.
14. Candidates for admission rejected by censors of one county, not to be examined by another—but may appeal.
15. Persons rejected by state censors not to be examined by county censors.
16. No person to practise physic, &c. without licence, &c. from this or some other state.
17. Persons coming from another state, &c. to file copy of diploma with county clerk.
18. Diplomas granted out of this state to students in schools in this state, not incorporated, not to confer right of practising physic, &c. in this state.
19. Persons licensed, to deposit copy of license in county clerk's office.
20. Persons under 21, not entitled to practise.
21. Degrees of doctor of medicine conferred by colleges not to be a licence; when colleges may have a faculty to teach medicine.
22. Penalty for practising without authority.

Notice to be given to every physician and surgeon.

§ 1. The president of every county medical society shall give notice in writing to every physician and surgeon, not already admitted into such society, within the county in which the society of which he is president is situated, requiring such physician or surgeon, within sixty days after the service of such notice, to apply for and receive, a certificate of admission, as a member of such society.

How served—persons notified to forfeit their licenses if they not apply.

§ 2. The service of every such notice shall be made personally, on the physician or surgeon to whom it shall be directed: and if such physician and surgeon shall not, within the time specified in the notice, or within such further time as may be allowed by the president, under the regulations of the society, apply for a certificate of membership in such society, his licence shall be deemed forfeited, and he shall

be subject thereafter, to all the provisions and penalties of the laws of this state, in relation to unlicensed physicians, until upon a special application, he shall be admitted a member of the medical society, in the county in which he shall reside.

Charges for misconduct.

§ 3. If there shall be preferred to any county medical society, specific charges against any member thereof, of gross ignorance or misconduct in his profession, or of immoral conduct of habits, a special meeting of the society to consider the charges shall be called, of which at least ten days previous notice shall be given, in one or more of the newspapers printed in the county.

Proceedings thereon.

§ 4. If two thirds of the members present at such meeting shall be of opinion, that the charges preferred are well founded, the president of the society, shall, without delay, deliver a certified copy of the charges and the vote of the society thereon, to the district attorney of the county, and shall give notice of such delivery to the member accused, who from that time shall be suspended from the practise of physic and surgery, until the determination of such charges, in the manner hereinafter provided.

Charges to be served and notice of hearing.

§ 5. The district attorney to whom the charges shall be delivered, shall serve a copy thereof without delay, on the member accused, and at the same time shall give him notice of the time and place at which the judges of the court of common pleas of the county will meet, for the purpose of hearing and determining the same: such notice shall be served at least fourteen days before the time of hearing appointed.

District attorney to prosecute.

§ 6. The district attorney shall conduct the prosecution of the charges, and shall issue process to compel the attendance of such witnesses as the president of the society and members accused shall severally require.

Judges to determine.

§ 7. The judges of the county court, at the time and place of hearing appointed, or at such other time and place as they shall fix, shall proceed to hear and determine the charges, and shall examine, on oath, the witnesses produced: if they, or a majority of them, shall be satisfied, from the

evidence, that the charges are true, they shall make an order, which shall be valid in law, expelling the member accused from the society, and declaring him for ever thereafter incapable of practising physic and surgery within this state, or suspending him from such practice, for a limited period: if they shall be of opinion, that the charges are not established, the suspension of the member accused shall cease, and he shall be restored to all his rights and privileges, as a practising physician and surgeon. to expel, or suspend, or acquit.

§ 8. No student shall be admitted to an examination by any medical society, until he shall have completed, with some physician and surgeon duly authorised by law to practise his profession, the term of medical study prescribed in the following sections of this title. Qualifications of students.

§ 9. The regular term of the study of medical science shall be four years, but a deduction from such term, in no case to exceed one year, shall be made in either of the following cases:

1. If the student, after the age of sixteen, shall have pursued any of the studies usual in the colleges of this state, the period, during which he shall have pursued such studies, shall be deducted.

2. If the student, after the age of sixteen, shall have attended a complete course of all the lectures delivered in an incorporated medical college in this state, or elsewhere, one year shall be deducted.

§ 10. The physician and surgeon with whom a student shall commence his studies, shall file a certificate with the president of the county medical society to which he belongs, certifying that such person has so commenced his studies; and the term of study shall be considered as commencing, from the day on which such certificate is filed. Ib.

§ 11. If the term of study shall be intended to be for less than four years, upon either of the grounds mentioned in the ninth section of this title, the president with whom the certificate shall be filed, upon satisfactory proof that a deduction ought to be allowed, shall annex to such certificate, an order specifying the period, not exceeding one year, which, according to the proof exhibited to him, ought to be Ib.

deducted from the term of four years, and directing that the term of study of the student shall be for the period that shall remain.

Requisites for diplomas from regents.

§ 12. No person shall receive from the regents of the university a diploma, conferring the degree of doctor of medicine, unless he shall have pursued the study of medical science for at least three years, after the age of sixteen, with some physician and surgeon, duly authorised, by law, to practise his profession, and shall also, after the same age, have attended two complete courses of all the lectures delivered in an incorporated medical college, and have attended the last of such courses, in the college by which he shall be recommended for his degree.

In what counties students to be examined.

§ 13. No student shall be admitted to an examination by any county medical society, except of the county in which he shall have pursued his medical studies for four months immediately preceding his examination; but if the student during that period, shall have attended the lectures in either of the incorporated medical colleges of this state, he may be examined and licensed, either by the medical society of the county in which such college is situated, or by that of the county, in which he shall have resided, previous to such attendance.

If rejected to appeal.

§ 14. No person, who shall have been examined by the censors of any county medical society, as a candidate for the practise of physic and surgery, or either of them, and shall have been rejected on such examination, shall be admitted to an examination, before the censors of any other county medical society; but such person may appeal, from the decision of the censors by whom he shall have been examined, to the medical society of the state.

Persons rejected by state society.

§ 15. No person, who, either upon an original examination or upon an appeal, shall have been rejected by the censors of the state medical society, shall thereafter be admitted to an examination, before the censors of any county medical society.

Who to practise physic.

§ 16. No person shall practise physic or surgery, unless he shall have received a license or diploma for that purpose,

from one of the incorporated medical societies in this state, or the degree of doctor of medicine from the regents of the university: or shall have been duly authorised in practise by the laws of some other state or country, and have a dipoma from some incorporated college of medicine, or legally incorporated medical society, in such state or country.

Persons from another state or country.

§ 17. No person coming from another state or country, shall practise physic or surgery in this state until he shall have filed a copy of his diploma, with the clerk of the county where he resides, and until he shall have exhibited to the medical society of that county, satisfactory evidence that he has regularly studied physic and surgery, according to the requisitions of the ninth section of this title.

Diplomas to students in certain schools, not valid.

§ 18. No diploma, granted by any authority out of this state, to an individual who shall have pursued his studies in any medical school within this state, not incorporated and organized under its laws, shall confer on such individual, the right of practising physic or surgery, within this state.

Licence in all cases to be filed.

§ 19. Every person licensed to practise physic or surgery, or both, shall deposit a copy of such license with the clerk of the county where he resides, who shall file the same in his office; and until such license is so deposited, such person shall be liable to all the penalties provided by law, in the same manner as if he had no license.

Persons under 21.

§ 20. No person under the age of twenty-one years shall be entitled to practise physic or surgery in this state.

Degrees conferred by colleges.

21. The degree of doctor of medicine conferred by any college in this state, shall not be a license to practise physic or surgery; nor shall any college have, or institute, a medical faculty, to teach the science of medicine, in any other place than where the charter locates the college.

Penalty for practising without authority.

§ 22. Every person, not authorised by law, who, for any fee or reward, shall practise physic or surgery within this state, shall be incapable of recovering, by suit, any debt arising from such practise, and shall be deemed guilty of a misdemeanor, punishable by fine and imprisonment, or both, in the discretion of the court by which he shall be convicted.

CHAP. V.

Of the Public Officers of this State, their Election, Appointment, &c.

TITLE V.

Section 15. The health officer, resident physician, and health commissioner of the city of New-York, are mentioned in this section.

§ 16. The officers above enumerated, shall hold their respective offices for two years.

§ 17. No person but a licensed physician shall be appointed to the office of resident physician, health commissioner, or health officer of the city of New-York. Either of them may be removed by the governor during the recess of the senate.

§ 18. The board of health may supply any vacancy that may occur in the office of either of the commissioners of health of the city of New-York, whether arising from the temporary inability of the officer to discharge his duties, or otherwise; but the person so appointed shall hold his office only until such inability be removed, or the sense of the governor, or the governor and senate, be declared.

AN ACT to amend Title Second, Chapter Fourteen, Part First of the Revised Statutes, relating to the Quarantine Regulations of the Port of New York. Passed May 2, 1836.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:—

§ 1. All articles arriving in vessels subject to Quarantine, whose exportation by sea, or transportation up the North or East rivers, and which may, without danger to the public health, be shipped from the wharves of the city of New York, may, by permission of the Board of Health, or the Mayor and Commissioners of Health, be brought to the city of New York for the above object.

§ 2. No vessel subject to a regular quarantine of two days, unless she shall have sailed from some port in the West Indies, or in America south of Louisiana and north of the Equator, or from some port or place in the United States south of Georgia, before the first day of June in the year of her arrival, shall, when released from quarantine, approach within three hundred yards of that part of the island of New York which lies southward of Bank street on the North river, and of Eighth street, on the East river, until after the first day of October in the year of her arrival, unless by virtue of a special permission to be granted by the Board of Health, or the Mayor and Commissioners of Health; which permission shall not extend to embrace any time between the first day of June and first day of September in the year of her arrival, unless under the circumstances mentioned in the following section.

§ 3. If such vessel shall have arrived from any place in the Mediterranean in Asia, in America south of the Equator, or from the Madeira, Canary, Cape de Verd, Western, Bermuda or Bahama Islands, the Mayor and Commissioners of Health may, by special permission in writing, direct her to be hauled to a wharf south of the bounds so prescribed, and in their discretion, may first order her cargo, or any portion thereof, to be unloaded, subject to their orders and regulations.

§ 4. No vessel subject to a regular quarantine of thirty days, when permitted to leave the quarantine ground, shall approach within three hundred yards of the city of New York, between the first day of June and the first day of October in the year of her arrival, unless permitted by the Board of Health, or the Mayor and Commissioners of Health; which permission shall not be granted except as prescribed in the second section of this act.

§ 5. All vessels wholly loaded with salt, being healthy and from healthy ports, may be permitted to discharge their cargoes at any wharf to be designated by the Board of Health, or by the Mayor and Commissioners of Health; but immediately upon being discharged, such vessels shall be subject to all the restrictions imposed by title second, chapter fourteenth, part first of the revised statutes; and all the provisions of said title and chapter inconsistent with the provisions of this act, are hereby repealed.

STATE OF NEW YORK, SECRETARY'S OFFICE.

I have compared the preceding with an original act of the Legislature of this state, on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original. ARCH'D CAMPBELL, Dep. Sec.

Albany, May 3, 1836.